



Law  
RCE/US

PTO/SB/30 (08-00)  
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Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
provides for continued examination of an utility or plant application  
filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA)

Application Number	10/036,490
Filing Date	January 7, 2002
First Named Inventor	MERON, Gavriel
Group Art Unit	1641
Examiner Name	COUNTS, Gary W.
Attorney Docket Number	P-2038-US1

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. **Submission required under 37 C.F.R. § 1.114**

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☒ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c)  
for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

3. **Fees**

The RCE fee under 37 C.F.R. § 1.17 (D) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to  
Deposit Account No. 50-3355.
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Other \_\_\_\_\_
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	Caleb Pollack	Registration No. (Attorney/Agent)	37,912
Signature		Date	August 10, 2006

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Assistant Commissioner for Patents, Washington, DC 20231.

08/14/2006 JADD01 00000001 503355 10036490  
01 FC:1001 798.00 DA



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: MERON, Gavriel et al.

EXAMINER:

COUNTS, Gary W.

SERIAL NO.: 10/036,490

GROUP ART UNIT: 1641

FILED: January 7, 2002

ATTORNEY DOCKET: P-2038-US1

FOR: System and Method for Determining the Presence of a Substance In-Vivo

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**COMMUNICATION ACCOMPANYING  
REQUEST FOR CONTINUED EXAMINATION UNDER 37 CFR 1.114**

Sir:

Applicants would like to thank the Examiner for the Notice of Allowance mailed on May 16, 2006 in connection with the above-identified Application.

Applicants submit concurrently herewith an Information Disclosure Statement which includes Form PTO-1449 listing references, as well as a Request for Continued Examination.

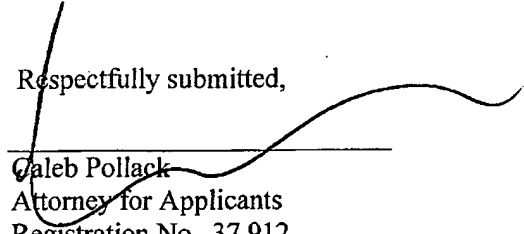
Applicants note that the enclosed Information Disclosure Statement and Request for Continued Examination are being filed prior to the August 16, 2006 deadline for payment of the Issue Fee in this case.

In order to ensure that a patent will not issue without explicitly citing the newly submitted references, Applicants will not pay the issue fee by the due date of August 16, 2006, and instead the Applicants submit herewith a Request for Continued Examination.

Applicants respectfully requests the Examiner to consider the newly submitted references, and to hopefully issue a new Notice of Allowance upon completion of the Examination.

If any fee is required, the undersigned attorney/agent hereby authorizes the Patent Office to charge such fee to Deposit Account 50-3355.

Respectfully submitted,



Galeb Pollack  
Attorney for Applicants  
Registration No. 37,912

Dated: August 10, 2006

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